

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
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DOC #: _____
DATE FILED: May 31, 2012

FERNANDO MORALES CAMPOS, et al.,

Plaintiffs,

-against-

GABRIELA'S RESTAURANT AND TEQUILA BAR,
GABRIELA'S REAL MEX 93, LLC, GABRIELA'S
HOLDING LLC, ALICART, INC., NAT MILNER,
FERNANDO AQUINO, MOISES GALARZA, JAIME
SANTOS, and DEMETRIO GALVEZ,

Defendants.

Civ. Action No.: 11 CIV. 3150
(PAE) (RLE)

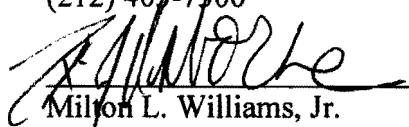
**STIPULATION OF DISMISSAL
WITH PREJUDICE**

IT IS HEREBY STIPULATED AND AGREED by and among Plaintiffs Fernando Morales Campos, Antonia Escamilla, Emiliano Espinoza, Miguel Espinoza, Agustina Galindo, Patricio Guerrero, Pedro Hernandez Jimenez, Nicolas Navarrete, Cristian Rosales Ramirez, and Amparo Salazar (collectively "Plaintiffs") and Defendants Gabriela's Restaurant and Tequila Bar, Gabriela's Real Mex 93, LLC, Gabriela's Holding, LLC, Alicart, Inc., Nat Milner, Fernando Aquino, Moises Galarza, Jaime Santos, and Demetrio Galvez (collectively "Defendants") (Plaintiffs and Defendants are collectively referred to herein as "the Parties"), through their undersigned counsel, in accordance with Federal Rule of Civil Procedure 41(a)(1), that this action is dismissed with prejudice without costs or attorneys' fees to Plaintiffs or Defendants.

In support, the Parties state that they: (a) have a *bona fide* dispute regarding the merits of Plaintiffs' claims; (b) desire to resolve that dispute fully and finally without further litigation; (c) have entered into a Settlement Agreement ("Agreement"), including a release of

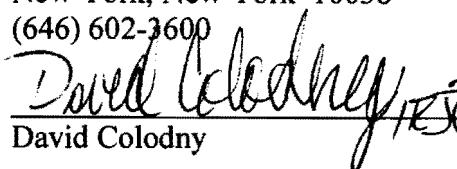
claims; and (d) represent that the Agreement: (i) is fair to all the Parties; (ii) reasonably resolves a *bona fide* disagreement regarding the merits of Plaintiffs' claims; and (iii) reflects the good faith intention of the Parties that Plaintiffs' claims be fully and finally resolved, not subject to appellate review, and not be re-litigated in whole or in part at any time in the future.

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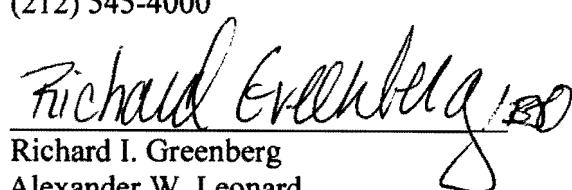
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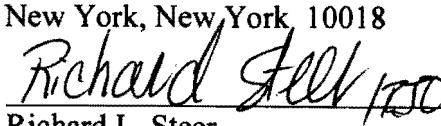
Dated: May 11, 2012

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GABRIELA'S RESTAURANT AND
TEQUILA BAR, GABRIELA'S HOLDING
LLC, NAT MILNER, FERNANDO AQUINO,
MOISES GALARZA, JAIME SANTOS, and
DEMETRIO GALVEZ

Dated: May 11, 2012

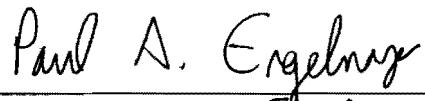
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ATTORNEYS FOR DEFENDANT ALICART
INC.

Dated: May 11, 2012

SO ORDERED:

Dated: New York, New York
May 23, 2012



HON. PAUL A. ENGELMAYER
UNITED STATES DISTRICT JUDGE

4839-8967-9887, v. 14839-8967-9887, v. 1